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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.1873 OF 2006
IN
SUIT NO.1248 OF 2006

New Era Fabrics Limited).. Plaintiff

Versus

Bombay Electric Supply Transport).. Defendant

Mr.M.M. Vashi for the Plaintiff.

Mr.Harvinder Toor i/b.M/s.Crawford Bayley & Co.
for the Defendant.

CORAM : SMT. NISHITA MHATRE, J.

DATED : 11TH JULY 2006

P.C.:

. By this Motion, the Plaintiff has raised a dispute regarding the bill issued for the period 1st April 2006 to 30th April 2006. The Plaintiff contends that till such time as the decision is taken by the Defendant pursuant to the Order dated 4th May 2006 as to whether the Plaintiff is liable to pay electricity charges at the commercial rate or industrial rate, the Plaintiff is not liable to pay the charges under the aforesaid bill.

2. In my view, the submission cannot be accepted. The Plaintiff is directed to deposit 50% of the current

bill in cash with the Defendant. The Plaintiff will give a Bank Guarantee of a Nationalised Bank within two weeks from today for the balance amount.

3. With a view to ensure that the parties are not required to approach the Court each time a bill is raised by the Defendant, the same formula will apply to all further bills raised by the Defendant till the issue is decided pursuant to the Order dated 4th May 2006.

4. Motion disposed off accordingly.